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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

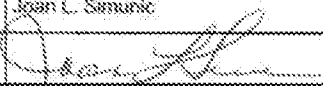
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Application Number	08/551,177
Filing Date	May 8, 2001
First Named Inventor	Hu
Art Unit	1754
Examiner Name	Cam N. Nguyen
Attorney Docket Number	21494/01001

ENCLOSURES (Check all that apply)

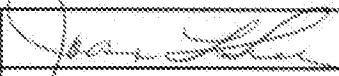
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|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input checked="" type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
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| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="text"/> Remarks | |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application | | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Joan L. Simunic		
Signature			
Printed name	Joan L. Simunic		
Date	September 7, 2006	Reg. No.	43,125

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Joan L. Simunic	Date	September 7, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 09/851,177
Applicants : X. D. Hu et al.
Filing Date : 05/08/2001
TC/A.U. : 1754
Examiner : Cam Nguyen

Attorney Docket No. : ZL494/01001
Customer No. :
Title : High Surface Area, Small Crystallite Size Catalyst for Fischer-Tropsch
Synthesis

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

PETITION

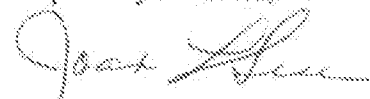
Sir:

An Office Action was received on March 26, 2003 for the above-identified application. A response with a petition for an extension of time to file and appropriate fee was filed on September 24, 2003. A Notice of Abandonment was the received, but a Request for Withdrawal of Holding Abandonment Based on Reply Timely Filed and Received in the Office But Not Correlated with the Application Pursuant to 37 C.F.R. 1.181 was filed on May 24, 2004. On August 24, 2004, the Petition was Granted. According to the Decision on Patent, the abandonment was withdrawn, the application was to be returned to pending status and forwarded to the Technical Support Staff for entering of the Response dated September 24, 2003 and then forwarded to the examiner for prompt consideration (see attached copy of Decision).

More than two years have now passed since the Decision on Patent was issued. As of the present date, the application is still listed in the Private PAIRS system as being abandoned for failure to file a timely response. The examiner does not have the case on her docket. Six written requests for status of the application have been submitted and several telephonic requests have been made to the Office. However, the status of the application is unknown.

Thus, applicant respectfully seeks the assistance of the Commissioner to move this application back to pending status, to have the application forwarded to the Technical Support Staff for entering of the Response dated September 24, 2003 and then to have the application forwarded to the examiner for prompt consideration.

Respectfully submitted,



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UNITED STATES PATENT AND TRADEMARK OFFICE

Technology Center 1700.

Mailed: AUG 25 2004

rvk

Paper Number: _____

In re application of:

X.D. Hu

Serial No. 09/851,177

Filed: May 08, 2001

For: HIGH SURFACE AREA, SMALL CRYSTALLITE SIZE CATALYST
FOR FISCHER-TROPSCH SYNTHESIS:

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DECISION ON
PETITION

This is a response to the REQUEST FOR WITHDRAWAL OF HOLDING ABANDONMENT BASED ON REPLY TIMELY FILED AND RECEIVED IN THE OFFICE BUT NOT CORRELATED WITH THE APPLICATION PURSUANT TO 37 C.F.R. 1.181, filed May 24, 2004. The requester asks that the abandonment, as set forth in the Notice of Abandonment of November 18, 2003, for failure to timely file a proper response to the Office letter dated May 26, 2003 be withdrawn. The requester asserts that applicants timely filed a proper response and Petition for Extension of Time on September 24, 2003.

DECISION

The instant request is accepted as a petition under 37 C.F.R. 1.181 (no fee).

A review of the petitioner's evidence provided with the instant petition indicates that the request has merit. The evidence presented is sufficient to establish that the applicants did file the proper response to the Office letter of May 26, 2003 in a timely manner. The evidence provided includes: 1) copies of the Response (Exhibit A) to the Office letter dated May 26, 2003 and a Petition for three months Extension of Time with payment by credit card of \$930.00 (Exhibit B) with Certificates of Facsimile Transmission thereon certifying that the Response and Petition for Extension of Time were timely transmitted to the USPTO on September 24, 2003; and 2) a copy of the Auto-Reply Facsimile Transmission



UNITED STATES PATENT AND TRADEMARK OFFICE

Technology Center 1700.

Report confirming receipt of the Response and Petition for Extension of Time dated September 24, 2003 with a Certificate of Transmission by Facsimile.

Therefore, the abandonment is hereby withdrawn, and the application is returned to pending status. The application will be forwarded to the Technical Support Staff for entering of the Response dated September 24, 2003 and then forwarded to the examiner for prompt consideration.

The Petition is **GRANTED**.

J. Stone

Jacqueline Stone, Director
Technology Center 1700
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